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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,162	10/31/2000	Benjamin M. Cahill III	INTL-0438-US-(P9450)	9745

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EXAMINER

ABDULSELAM, ABBAS I

ART UNIT PAPER NUMBER

2674

DATE MAILED: 04/09/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/703,162

Applicant(s)

CAHILL, BENJAMIN M.

Examiner

Abbas I Abdulsalam

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## DETAILED ACTION

### Claim Rejections 35 U.S.C. 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gloudermans et al. (USPN 6266100) in view Horikawa et al. (USPN 6067120).

Regarding claims 1, 10 and 17, Gloudermans teaches a flicker filter operation (760) including a filtered alpha which is expressed as a function of the unfiltered alpha. Gloudermans teaches a set of hardware which enables blending of graphic with video. Gloudermans teaches PC concentrator (82), computers (94, 96) which help create the graphic and a set of alpha signals and a keyer (98) which receives graphic and alpha signals as well as a monitor (102). Furthermore, Gloudermans teaches a multi viewer (90) configuration which receives the desired program. See col.32, lines 41-63, Fig 2, Fig 24, col 2, lines 53 and col. 7, lines 25-53. However, Gloudermans does not disclose adjusting a flicker filter based upon the alpha value. Horikawa on the other hand teaches adjusting the flicker reduction rate by varying the value of alpha. See col. 9, lines 57-64 and Fig 9

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Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Gloudemans' video presentation to include Horikawa's adjustment of flicker reduction rate. One would have been motivated in view of the suggestion in Horikawa that adjusting the flicker reduction rate based on the value of alpha is the same as the desired adjusting of flicker filter based upon the alpha value. The use of adjustment of the flicker reduction rate helps function video conversion device as taught by Horikawa et al.

Regarding claims 2 and 18, Gloudemans teaches the threshold comparison (506) and the threshold determination step (484). See Fig 15 and Fig 12 respectively.

Regarding claims 3-4 and 19-20, Gloudermans teaches the determination of alphas for each of the edge points. See Fig 24 (754). Gloudermans also teaches a sequence of operations for determining an alpha for an edge point including multiplying key fraction by nominal alpha (814). See Fig 26.

Regarding claims 5-6, and 15, Gloudermans teaches a flicker filter operation (760) and the flicker filter operation is performed according to a defined equation. See col. 32, 41-54.

Regarding claims 7-9 and 21-22, Gloudermans teaches the process and completion of flicker filter with respect to the graph drawn (762). See col. 33, lines 21-26 and Fig 24.

Regarding claim 11, Gloudermans teaches the steps of drawing graphs and employing the flicker filter operations are performed by a computer. See col. 23, lines 20-23. See Fig 24.

Regarding claims 12, 14 and 16, Gloudermans teaches determination of alphas for each graphic pixel in the frame with respect to keyer (98) in conjunction with program video.

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Gloudermans also teaches pixel (820) which represents a pixel in the program video for which alpha is being calculated. See col. 33, lines 21-27 and col. 31, lines 1-17.

Regarding claim 13, Gloudermans teaches a scenario where the graphic is simply added to the video without considering the contents of video signals. See col. 9, lines 204 and Fig 3(152).

### **Conclusion**

2. The prior art made of record and not relied upon is considered to applicant's disclosure.

The following arts are cited for further references.

U.S. Pat. No. 5,990,965 to Herz et al.

U.S. Pat. No. 6,421,097 to O'Rourke

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3. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Abbas Abdulsalam** whose telephone number is **(703) 305-8591**. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

**Any response to this action should be mailed to:**

Commissioner of patents and Trademarks

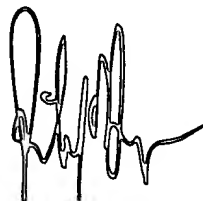
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**or faxed to:**

**(703) 872-9314**

Hand delivered responses should be brought to crystal park II, Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology center 2600 customer Service office whose telephone number is (703) 306-0377.



Abbas Abdulsalam

Examiner

**RICHARD HJERPE**  
**SUPERVISORY PATENT EXAMINER** Art Unit 2674  
**TECHNOLOGY CENTER 2600**